

~~CONFIDENTIAL~~

30 AUG 1954

OGC Has Reviewed

25X1A

MEMORANDUM FOR: Comptroller

SUBJECT :

25X1A

1. Upon resignation effective 30 July 1954, your Office proceeded to clear his accounts. You have asked us for any information available concerning the short period during which he was retained as a consultant.

2. During the period 3 August 1951 to 30 June 1952, subject individual, a retired officer of the U. S. Army, was employed under a consultant contract. Effective 1 July 1952, he was appointed to a full-time position with the Agency. His contract states "\$25.00 per day of service" rather than "per diem - hours actually worked". We interpret this condition to refer to services rendered on a fee basis rather than on a time basis.

25X1A

3. In view of the fact that services as a consultant were purely advisory and on a rather infrequent basis, (thirteen days for the total period), we feel there is justification for considering his employment in such capacity as on a "fee" or "per consultation" basis within the intent of the Comptroller General's decision B-105707, dated 19 October 1951. During this period the thirteen days were devoted to six consultations as follows:

| Consultation No. | Date |
|------------------|----------------------------------------------|
| 1 | 5, 6, 7, 8 August 1951 Sun, Mon, Tues + Wed. |
| 2 | 11, 12 August 1951 Sat. & Sun. |
| 3 | 14, 15, 16 August 1951 Tues, Wed + Thurs |
| 4 | 19, 20 August 1951 Sun + Mon |
| 5 | 25 August 1951 Sat |
| 6 | 4 September 1951 Tues. |

| Consultation No. | Date |
|------------------|----------------------------------------------|
| 1 | 5, 6, 7, 8 August 1951 Sun, Mon, Tues + Wed. |
| 2 | 11, 12 August 1951 Sat. & Sun. |
| 3 | 14, 15, 16 August 1951 Tues, Wed + Thurs |
| 4 | 19, 20 August 1951 Sun + Mon |
| 5 | 25 August 1951 Sat |
| 6 | 4 September 1951 Tues. |

25X1A

4. You have paid the sum of \$325.00 for these thirteen days, whereas it appears you should only have paid him \$150.00, computed at the rate of \$25.00 per consultation. Unless

above days of work
verified with Payroll Branch
records

Approved For Release 2004/04/08 : CIA HDP59-00882R000200350087-4
~~CONFIDENTIAL~~

25X1A

there existed some other arrangement in this case, we believe [redacted] owes a debt of \$175.00 to the Agency for this period of service, representing overpayment for services rendered. We recommend that you obtain a formal opinion of the General Counsel, however, before further action is taken.

25X1A [redacted]

[redacted]
Assistant Director for Personnel

10334 S 28114 11/24
DOL/EPB

Approved For Release 2004/04/08 : CIA HDP59-00882R000200350087-4

~~CONFIDENTIAL~~